

August 8, 1958

NEW HAMPSHIRE LAW LIBRARY

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CONCORD, N.H.

Mr. Jere A. Chase
Director of Development
University of New Hampshire
Durham, New Hampshire

Dear Mr. Chase:

You have inquired whether the University of New Hampshire is empowered to construct and operate an educational television station within its present charter. I reply in the affirmative.

RSA 187, establishing the University of New Hampshire, empowers it "to teach such branches of learning, and to prosecute such researches as may be necessary and desirable in the education of youth and the advancement and development of the arts, the sciences and the industries, . . . and the trustees [may] . . . define and prescribe the standard, scope and nature of the instruction and attainments necessary in order to qualify for . . . degrees, . . ."

You have advised that the Board of Trustees in a lawful meeting voted to utilize Channel 11 for educational purposes, to make efforts to raise necessary funds and to execute an agreement by the President and Treasurer for a contingent grant of \$100,000, and to file for a construction permit with the FCC only if \$50,000 needed in cash and firm pledges could be secured by the deadline of July 1. You further advised that the New Hampshire Commission on Educational Television in its final report has recommended that an educational television station should be established in New Hampshire with studios at the State University.

Times change and with them the media of communication of ideas. The function and purpose of the University being for educational purposes, it is indisputable that television is a modern media for improvement in education of particular importance because of the extent

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to which it can transmit to many people the benefits of University learning. Many state universities in other states own and operate educational television stations and such a function is clearly of a nature, scope and standard as not to be unique in tax-supported universities.

Inasmuch as the operation of an educational television station is believed to be within the reasonable scope of the work of the University of New Hampshire it follows that its construction and ownership upon a non-profit basis is also within said scope.

Sincerely,

Louis C. Wyman
Attorney General